

Message Text

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C O N F I D E N T I A L BERLIN 6390

E O 11652: GDS

TAGS: PLOS

SUBJ: LOS: US POSITION ON HIGH SEAS STATUS OF THE ECONOMIC ZONE:
CORRECTION OF WIRELESS FILE REPORT OF TESTIMONY OF AMBASSADOR
LEARSON BEFORE SENAT SUBCOMMITTEE

REF: STATE 187929

SUMMARY: AS INSTRUCTED, I CALLED ON GDR DEPUTY FOREIGN MINISTER
EWALD MOLDT ON AUGUST 3 TO PROVIDE HIM THE CORRECT STATEMENT OF
AMBASSADOR LEARSON'S TESTIMONY BEFORE THE SUBXCOMMITTEE OF
THE SENAT FOREIGN RELATION'S COMMITTEE ON MAY 20. I WAS
ACCOMPANIED BY DCM POLANSKY. MODLT WAS ACCOMPANIED BY AN
AIDE AND A GDR INTERPRETER. THE MEETING LASTED 40 MINUTES.
AS MOLDT SAID HE WOULD LEAD THE GDR DELEGATION AT THE LOS
CONFERENCE IN NEW YORK AT A LATER DAY, HE TOOK THE
OPPORTUNITY TO ELABORATE GDR POSITIONS, CHIEFLY ON THE
ECONOMIC ZONE AND THE GDR/US ISSUES. END SUMMARY.

1. I INFORMED MOLDT THAT THE USG WISHED TO CALL TO THE
ATTENTION OF THE GDR AND OTHER CONFEREES THAT AN IMPORTANT
PHRASE IN AMBASSADOR LEARSON'S TESTIMONY HAD NOT BEEN
INCLUDED IN A PUBLIC REPORT OF HIS TESTIMONY WHICH MAY
HAVE RESULTED IN AN INCORRECT IMPRESSION THAT THE USG
NO LONXGER SUPPORTED THE HIGH SEAS CHARACTER OF THE
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ECONOMIC ZONE. I THEN READ TO MOLDT THE CORRECT

LANGUAGE AND GAVE HIM TWO COPIES OF AMBASSADOR LEARSON'S STATEMENT.

2. MOLDT THANKED ME FOR THE CORRECT WORDING, NOTHING THAT IT WAS A DECISIVE ISSUE. HE ACCEPTED FOR THE GDR THE NOTIFICATION OF THE CORRECTION AND SAID THE STATEMENT THAT THE ECONOMIC ZONE IS CONSIDERED PART OF THE HIGH SEAS ENCOURAGED HIM TO PROVIDE AN ELABORATION OF THE GDR'S VIEWPOINT ON SOME ISSUES BEFORE THE LOS CONFERENCE.

3. MOLDT REITERATED THAT THE CORRECT STATEMENT AFFECTS IMPORTANTLY THE ECONOMIC ZONE AS THE INTERESTS OF SEVERAL STATES ARE QUITE DIFFERENT ON THIS ISSUE. HE SAID THE COURSE AND OUTCOME OF THE LOS CONFERENCE ARE EXTRAORDINARILY IMPORTANT FOR THE GDR IN SEVERAL ASPECTS, I.E. THAT INTERNATIONAL SHIP TRAFFIC SHOULD NOT BE HINDERED, AND THE GREAT INTEREST OF THE GDR IN MAINTAINING ACCESS TO THE LIVVING RESOURCES OF THE HIGH SEAS, PARTICULARLY THE ECONOMIC ZONE. MOLDT STATED THAT, WHILE THE TOTAL MIGHT SEEM SMALL BY US STANDARDS, THE GDR CATCH OF 320,000 METRIC TONS WAS USED EXCLUSIVELY FOR GDR DOMESTIC CONSUMPTION AND WAS AN INDISPENSIBLE ELEMENT OF ITS ECONOMY. NOTING THE BALTIC SEA WAS A SMALL FISHING SOURCE, ALL OF THE IMPORTANT FISHING GROUNDS USED BY THE GDR WOULD BE AFFECTED BY THE 200 NAUTICAL MILE LAW AND THERFORE THE LEGAL STATUS OF SUCH AN ECONOMIC ZONE IS OF THE GREATEST IMPORTANCE TO THE GDR. THE GDR HOLDS THE POSITION THAT DEVELOPED COUNTRIES SHOULD BE ASSURED FISHING RIGHTS IN THOSE ECONOMIC AREAS WHICH HAVE BEEN USED BY THEM. MOREOVER, SINCE THE GDR IS A DISADVANTATED COUNTRY IT HAS AND WILL ASSERT CONSISTENTLY THAT THE LOS CONFERENCE SHOULD MAINTAIN SUCH FISHING RIGHTS, AND THIS IS ESPECIALLY TRUE IN THE NORTH ATLANTIC.

4. REFERRING DIRECTLY TO THE US, MOLDT STATED THAT THEY GDR HAD BEEN FISHING IN THE NORTH ATLANTIC IN CONFORMITY WITH INTERNATIONAL LAW, THE ICNAF, AND HAS RESPECTED WITH NO DISPUTES US RIGHTS WHEN US WATERS HAD BEEN INVOLVED; THE GDR HAD READ THAT CONGRESS HAD DETERMINED THAT ITS LAW REGARDING FISHERIES WILL GO INTO EFFECT IN JANUARY

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1977, AND THAT THE GDR HAD RECEIVED A USG NOTE INFORMING IT XTHAT THE US WOULD BE LEAVING ICNAF. MOLDT SAID SUCH ACTIONS BY THE USG COULD CREATE NEW PROBLEMS FOR THE GDR RESPECTING THE CONTINUATION OF ITS FISHING PRACTICES IN THE NORTH ATLANTIC, PARTICULARLY IF THE USG ASSERTED EXCLUSIVE USE OF THE ECONOMIC ZONE. HE ADDED THAT THE GDR HAD NOT YET ESTABLISHED ITS POSITION CONCERNING SUCH ACTION BY THE USG. (NOTE: I MADE

NO RESPONSE AS EMBASSY HAS NO INFORMATION ABOUT SUCH A NOTE RESPECTING ICNAF AND XBECAUSE OF MY INSTRUCTIONS. I ASK IT THERE HAS BEEN ANY LEGISLATION CHANGING THE EFFECTIVE DATE OF THE GOVERNING INTERNATIONAL FISHERIES AGREEMENT.

5. MOLDT THEN BEGAN WHAT APPEARED TO BE HIS CHIEF ISSUE AND ARGUMENT FOR THE MEETING. IT IS THAT THE GDR'S IMMEDIATE INTEREST IS TO ENGAGE IN BILATERAL NEGOTIATIONS WITH THE US CONCERNING FISHING IN THE NORTH ATLANTIC ECONOMIC ZONE. HE NOTED THE GDR READINESS TO CONTRIBUTE TO RESEARCH AND SCIENTIFIC XWORK FOR THE FOSTERING OF LIVING RESOURCES AND TO ABIDE BY THE TERMS OF SUCH AN AGREEMENT. HE SAID THAT WHILE THE GDR HAD BEEN READY AT ALL TIME, UNFORTUNATELY, IT HAD NOT MET WITH USG READINESS TO BEGIN NEGOTIATIONS, ALTHOUGH REPRESENTATIONS HAD BEEN MADE BY THE GDR EMBASSY IN WASHINGTON AND TO THE US EMBASSY, BERLIN. HE REMARKED THAT THE GDR HAD BEEN INFORMED THAT AMBASSADOR RIDGEWAY HAS HELD TALKS WITH OTHER SOCIALIST COUNTRIES, INCLUDING THE SOVIET UNION, POLAND, BULGARIA AND ROMANIA AND THIS FACT ALSO CONTRIBUTED TO HIS GOVERNMENT'S INTEREST IN SIMILAR BILATERAL TALKS.

6. MOLDT THEN TURNED TO WHAT HE CALLED THE POLITICAL EFFECT OF SUCH NEGOTIATIONS, SAYING THERE SHOULD BE NO POLITICAL OBJECTIONS ON THE PART OF EITHER COUNTRY, AND THAT NEGOTIATIONS WOULD HAVE A FAVORABLE EFFECT ON THE LOS CONFERENCE. HE REMARKED THAT US/GDR SPECIALISTS HAD EXCHANGED VIEWS AT LOS CONFERENCES BUT THEY HAD OBSERVED THAT A POLITICAL DECISION WOULD BE REQUIRED BEFORE THE COMMENCEMENT OF NEGOTIATIONS. AGAIN, ALTHOUGH IT IS REPETITIVE, HE NOTED THREE GREAT ISSUES OF INTEREST TO

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THE GDR:

(A) THE GDR HOPED THAT THE LOS CONFERENCE WOULD INCLUDE A PASSUS ON AN ECONOMIC ZONE, WHICH HE DEFINED AS THE RIGHT TO MAINTAIN THE CONTINUATION OF FISHING BY DISADVANTAGED STATES WHICH HAD FISHED IN THESE AREAS BEFORE:

(B) THE GDR INTEREST IN BILATERAL FISHERIES DISCUSSIONS/ NEGOTIATIONS. HE SAID THAT, RECEIVING AND ACCEPTING AMBASSADOR LEARSON'S CORRECT STATEMENT ON THE ECONOMIC ZONE, HE HAD TAKEN THE OPPORTUNITY TO EXPRESS IN LARGER TERMS HIS GOVERNMENT'S VIEWS OF THE LOS CONFERENCE;

(C) THE GDR HELD THE POSITION THAT SUCH NEGOTIATIONS SHOULD OCCUR BEFORE A LOS CONFERENCE AGREEMENT AND SHOULD NOT BE POSTPONED BY THE USG UNTIL A TIME FOLLOWING AGREEMENT.

7. MOLDT MADE WHAT I BELIEVE HE CONSIDERED A STRONG ARGUMENT TOWARD BILATERAL NEGOTIATIONS BY SAYING THAT HE NEED NOT INFORM ME, AS USG KNEW, THAT IN A CONFERENCE INCLUDING OVER 150 COUNTRIES THERE WERE MANY VIEWPOINTS ON IMPORTANT ISSUES OTHER THAN THE ECONOMIC ZONE AND THAT SOME OF THE COUNTRIES HELD XDIFFERENT AND VERY EXTREME POSITIONS, DIFFERING FROM BOTH US AND GDR POSITIONS. HE BELIEVED THAT US/GDR BILATERAL NEGOTIATIONS WOULD BE HELPFUL IN FACILITATING UNDERSTANDING AND BECAUSE OF THEIR EFFECT ON COMPLICATED LOS SUBJECT.

8. I RESPONXDED THAT I WAS PLEASED TO HAVE HIS COMMENTS ON THE LARGER CONTEXT OF THE LOS CONFERENCE AND ALSO HIS STATEMENT OF GDR VIEWS ON THE PROBLEMS OF THE ECONOMIC ZONE; I APPRECIATED HIS FRANK STATEMENT ON US/GDR ISSUES AND HIS REQUEST THAT I MAKE KNOWN TO MY GOVERNMENT THE GDR'S DESIRE TO ENTER INTO BILATERAL NEGOTIATIONS. I TOLD HIM I WOULD PROMPTLY INFORM MY GOVERNMENT ABOUT HIS VIEWS.

9. I NOTED THE USG CONSIDERED THE LOS CONFERENCE AND ITS OUTCOME OF GREATEST IMPORTANCE AND IT WAS ITS HOPE THAT THE REMAINING PROBLEMS COULD BE SOLVED FAIRLY SO THAT THE DRAFTING COMMITTEE COULD HAVE A CONVENTION READY FOR SIGNATURE IN 1977. AS AN INDICATION OF THE IMPORTANCE
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THE USG ATTACHED TO THE LOS SECRETARY KISSINGER WILL HEAD THE US DELEGATION, ALTHOUGH THE EXACT DATE WHEN HE WOULD BE IN NEW YORK HAS NOT YET BEEN DETERMINED. MOLDT SAID HE WOULD BE GRATEFUL IF I COULD INFORM HIM WHEN THE SECRETARY PLANNED TO BE IN NEW YORK.COOPER

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